

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Review of the Emergency Alert System;	)	EB Docket No. 04-296
	)	
	)	
Independent Spanish Broadcasters Association,	)	
the Office of Communication of the United Church	)	
of Christ, Inc., and the Minority Media and	)	
Telecommunications Council, Petition for	)	
Immediate Relief;	)	
	)	
	)	
Randy Gehman Petition for Rulemaking	)	
	)	
	)	

**Comments of James Gorman**

**The following is in response to request for comments in Appendix B Section A3**

EAS participants should be permitted to use intermediary devices which would allow broadcasters to economically meet the CAP1.2 requirement.

It should not be required for EAS participants to render (11:51) a CAP Compliant message out of their EAS encoder decoders. What would a broadcast station do with it unless they are required to run a CAP server.

CAP converters should be classified as "stand-alone devices" by the FCC and not a modification to a certified encoder-decoder.

After Part 11 is revised the deadline for installation of CAP equipment should be extended by 18 months to allow plenty of time for manufacturers, vendors, participants, *etc* to perform (re)certification, make budget allowances, install equipment, *etc*.

If the FCC is going to require EAS equipment to have "Governor Must Carry", I favor a GOV originator code and while we make that change also manage any other originator codes under consideration like "tribal or county" and leave a time period for the installed base of equipment to be upgraded.

The attention signal should be maintained because people are used to the sound and pay attention when they hear it.

It is my belief that the specifications for the attention tone (11:32(a)(9)) should not be dropped. The decoder filtering for 853 Hz and 960 Hz should be narrowed to  $\pm 2$  Hz. The better it is defined the easier to filter it out. I have heard EAS alert messages that have the FSK header and then attention tone but when the recorded audio is turned on there are two more attention tone bursts and then a spoken message. This means that two stations

upstream of the one that I am listening to have not filtered out the attention signal but have turned on the two minute audio recording after the FSK. Instead of eliminating the attention tone, Part 11 should require that the decoder filter out the attention tone before the audio recording is turned on. This is of paramount importance during an AMBER (CAE) alert where as much information as possible must be presented in two minutes. I have noticed that some equipment does not currently send the attention tone despite Part 11 requiring it.

Since there are thousands of EAS units that don't turn on the voice recorder until the attention tone ends, the EAS system has been deliberately degraded by broadcast stations that refuse to send the dual-tone attention signal or don't send the attention signal with the proper modulation level. This means that the spoken messages during life threatening events are not forwarded by the receiving station. Has this been going on without the S.B.E knowing about it and the FCC field inspectors are apparently unaware of this violation?

The mark (2083.3Hz) and space (1562.5Hz) frequency are specified down to a tenth of a cycle and no tolerance is specified. Without a tolerance, the EAS units may be putting out tones that are not even close and I suspect that many of them are not even close. This does not turn on the EAS units monitoring this station and therefore, no message forwarded. Specifications on the Gorman Redlich EAS unit over an expanded temperature range of -10 C to +60 C are held to  $\pm 0.1$  Hz. The mark and space frequencies should have a tight tolerance.

Encoders should be permitted to forward message that have been shortened or cut off by reset. In my experience, I have noticed the reset cutoff has happened most often during an AMBER (CAE) alert.

The proposed change to 11:52(a) (fourth line) should include "decoding of attention signal" between "EAS header codes" and "emergency messages"

Errors in proposed NPRM for changes in part 11

Page 84 11:31 f failed to list Virgin Islands (VI) as one of the territories.(78)